

REMARKS

Reconsideration and allowance of the above-identified Application in view of the above amendments and following remarks are respectfully requested.

Claims 54-78 are pending in the Application. Claims 59, 60, 66, 67 and 71-78 have been withdrawn from consideration. Claims 54, 55, 57, 58, 61, 63-65 and 68-70 stand rejected as being anticipated by Hiyama et al. (U.S. Patent No. 5,436,655) and claims 56 and 62 stand rejected as being obvious from Hiyama et al. Applicants respectfully traverse for at least the following reasons.

Applicants' representative thanks the Examiner for the courtesies extended during the telephone interview of November 18, 2004. In the telephone interview, the Examiner presented two arguments that Hiyama et al. disclose all limitations recited in base claim 54. First, the Examiner suggested that the position where the CCD element 232 of the Hiyama et al. reference (Figures 23 and 25) is located can be considered as being located in an eyepiece section. Applicants respectfully traverse this interpretation for at least the following reasons.

As one can see from the paragraph starting at column 21, line 59 of Hiyama et al., that it discloses that the image pick-up surface of the CCD element 232 is arranged at a focal surface of the objective lens 231. However, one of ordinary skill in the art would recognize that an eyepiece section of an endoscope is to be arranged between an image surface of the objective lens and the eye of an observer to magnify an image formed by the objective lens. One of ordinary skill in the art would recognize that an eyepiece section should not be placed at the image pick-up surface of the objective lens. Therefore, Applicants respectfully submit that the Hiyama et al. reference cannot be so construed as disclosing an eyepiece section at the position of the CCD element 232 and it would be improper for one to read portions of claim 54 in such a way.

In the telephone interview, the Examiner also indicated that Hiyama et al. disclose at column 75 an optical connection between a TV camera and the endoscope. Applicants' representative respectfully submits that even such a modification of the embodiments disclosed in Hiyama et al. would not meet the requirements of the current claimed invention for at least the following reasons.

In Figures 23 and 25 of Hiyama et al., the signal connector 235 is provided on the overall connector 211 which is mounted on an end portion of the universal cable 209 extending from the side portion of the operating section 208. (See column 20, lines 33-43; column 21, line 67 through column 22, line 4; column 25, lines 26-38 and column 27, lines 66-68.) If one were to replace the electrical signal connector 235 with an optical connector to connect the TV camera optically, as the Examiner seems to argue that column 75 of Hiyama et al. suggests, one still would not obtain the structures recited in claim 54. Note that the operating section 208 illustrated in Figures 23 and 25 of Hiyama et al. corresponds to the "holding part" of the present invention. This is the portion held by the user in operation, such as by a surgeon. Note that claim 54 recites that the eyepiece section is formed on the holding part. In contrast, the signal connector 235 is formed on the overall connector 211 which is mounted on the end portion of the universal cable 209 extending from the side portion of the operating section 208, the latter of which is a holding part. Therefore, Applicants respectfully submit that even if one were to modify the embodiments of Figures 23 and 25 of Hiyama et al. according to column 75, one still would not obtain the result of the structure of the system recited in claim 54.

In addition, the paragraph spanning column 74-75 of Hiyama et al. discloses that their invention is applicable "to an arrangement in which a TV camera building therein image pickup means such as a CCD or the like is mounted on an optical endoscope such as a fibrescope or the like." However, Hiyama et al. fail to disclose a fibrescope that is connected with a light source processing unit. The Hiyama et al. reference discloses connecting the electronic endoscope 272 or 282 and the light source unit 205' as illustrated in Figures 23 or 25. In particular, at column 25, lines 26-38, Hiyama et al. disclose a structure in which the light source unit 205' has an image guide connector receptor 218, to which the image guide connector 217a on the overall connector 211 is connected. Again, note that the overall connector 211 is mounted to the end portion of universal cable 209, and not to a holding portion of an endoscope. Hiyama et al. disclose such a different structure because the light source unit 205' has an ordinary illuminating light generating means 243, a measuring light generating means 244, and a means to drive them (column 25, lines 28-63). Such a structure disclosed in Hiyama et al. is bulky and heavy and thus the light source 205' must be used as a stationary light source unit. Therefore, according to Hiyama et al. it is necessary to connect the overall connector 211, which is lightweight and easy to handle, to the bulky and heavy external light source unit 205'. Between the overall connector 211 and the holding part, which corresponds to 208 in Hiyama et al., there is a universal cable 209. Therefore, Applicants respectfully submit that claim 54, and similarly all currently

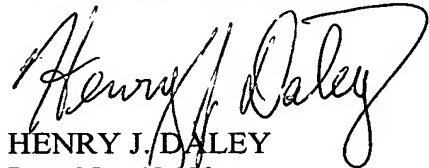
examined claims, are in condition for allowance and request that the rejection based on Hiyama et al. be withdrawn.

Applicants have addressed all of the Examiner's rejections and objections and respectfully submit that this application is now in condition for allowance.

Applicants' representative encourages the Examiner to contact him at the below-noted number if it may help advance the prosecution of this case.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
PILLSBURY WINTHROP LLP

A handwritten signature in black ink, appearing to read "Henry J. Daley", is written over the printed name.

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